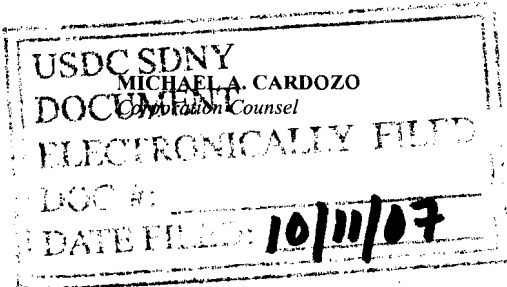
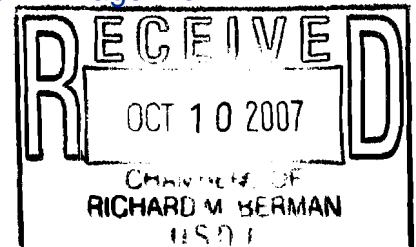


MEMO ENDORSED**BY HAND DELIVERY**

Honorable Richard M. Berman
 United States District Judge
 Southern District of New York
 500 Pearl St., Room 650
 New York, New York 10007

THE CITY OF NEW YORK
LAW DEPARTMENT

100 CHURCH STREET
 NEW YORK, NY 10007

SABRINA TANN
 Assistant Corporation Counsel
 Special Federal Litigation Division
 Telephone (212) 442-8600
 Facsimile (212) 788-9776

October 10, 2007

60 Day extension granted.
Rule 16 conference adjourned to
12/19/07 @ 9:15 A.M.

SO ORDERED:

Date: 10/11/07 Richard M. Berman
 Richard M. Berman, U.S.D.J.

Re: Jermaine Haythe v. City of New York, et al., 07 Civ. 8349 (RMB)(MHD)

Your Honor:

As the Assistant Corporation Counsel assigned to the defense of the above-referenced civil rights action, I write to respectfully request that defendants City of New York and Martin Horn's time to answer or otherwise respond to the complaint in this action be enlarged sixty (60) days from October 18, 2007 to and including December 18, 2007.¹ I have conferred with plaintiff's counsel, Michael O. Hueston, Esq., and he consents to this initial sixty (60) day enlargement of time.²

The complaint alleges, *inter alia*, that on January 5, 2007, while visiting an inmate on Rikers Island, Correction Officers Law, Morgan and other unidentified New York City Department of Correction officers unlawfully imprisoned, stripped-searched and employed excessive force against Plaintiff, in violation of his state and federal civil rights. As a threshold matter, an enlargement of time will allow this office to obtain the underlying documentation regarding the alleged incident from the facility and forward to plaintiff for execution the authorization of his medical records and any underlying arrest and criminal prosecution records. Defendants cannot obtain these records without the authorizations, and without the records, defendants cannot properly assess this case or respond to the complaint. Accordingly,

¹ This case has been assigned to Assistant Corporation Counsel Katherine E. Smith, who is presently awaiting admission to the bar and is handling this matter under supervision. Ms. Smith may be reached directly at (212) 513-0462.

² A check of the docket sheet indicates that affidavits of service of the summons and complaint have not been filed with respect to the individuals identified in the caption of the complaint as "Correction Officer Law" and "Correction Officer Morgan," nor have these individuals requested representation from this office. Without making any representations on behalf of the aforementioned individuals, it is respectfully requested that, in the event they were served, their time to respond to the complaint similarly be enlarged so that their defenses are not jeopardized while representational issues are being decided.

defendants require this enlargement so that this office may obtain the underlying documentation, properly investigate the allegations of the complaint and fulfill their obligations under Rule 11 of the Federal Rules of Civil Procedure.

No previous request for an enlargement of time has been made. Accordingly, defendants respectfully request that their time to answer or otherwise respond to the complaint be enlarged to sixty (60) days from October 18, 2007 to and including December 18, 2007.

I thank Your Honor for considering this request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Sabrina Tann', with a long horizontal flourish extending to the right.

Sabrina Tann (ST 2552)
Assistant Corporation Counsel
Special Federal Litigation Division

cc: Michael O. Hueston
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(By Facsimile)